

REMARKS

Claims 1 and 2 have been amended to eliminate lack of antecedent basis and to clarify that the invention consists of a “side fender.” In a Request for Advisory Action, the Examiner has agreed that, in light of the French priority document, “side fender” is not new matter. Claims 3 and 4 have been canceled. Claims 5-7 have been added. Support for the new claims exists on page 2, lines 14-17.

By way of further explanation, claim 1 has been amended so that the fender is described as a “side fender.” A “side fender” is a more meticulous description of the French word, “aile,” which is used in the original French specification. The word, “aile,” may be translated as “fender,” but is more accurately meant to be a “side fender” in contrast to a bumper. Applicants submit this is not new matter because the word, “aile,” in the priority document means a side fender. The discrepancy was merely one of translation.

The Examiner is invited to read the certified copy of the French Patent Application. The text of the French application was directly translated into English with the word, “fender,” substituted for “aile.” In French, an aile is alternatively a wing or a fender of a motor vehicle and is most definitely not a bumper. A wing is on the sides of an object and may not be on the front or rear. Ambiguity between a fender and a bumper does not exist in the priority document. In fact, the priority document would not support claims to a bumper. Applicants seek to protect an “aile,” that is, a wing or side fender of a motor vehicle. Applicants make no claim to a bumper.

Drawings

The Examiner objects to drawings because they do not show an airbag housing as described in claims 3 and 4. Claims 3 and 4 have been canceled. The objection is now moot.

112 Rejections

The Examiner believes claims 3 and 4 are indefinite. These claims have been canceled. The objection is moot.

102 Rejection

The Examiner has rejected claims 1 and 3 as anticipated by WO 2002/055343 A1 to Curry. Claim 3 has been cancelled. Only claim 1 remains. Anticipation exists only where each and every material element of a claim is found in a single reference. Curry recites a bumper and not a “side fender” as described by claim 1. Applicants submit claim 1 as amended clarifies that a bumper is outside the scope of the present application. In his response to the Request for Advisory Action, the Examiner admitted that the bumper of Curry cannot be “side fender.” Curry lacks at least one material element of the claim and cannot anticipate claim 1.

103 Rejection

The Examiner has rejected claims 2 and 4 as obvious in light of Curry and US 4,488,745 to Stokes. Claim 4 has been canceled. Claim 2 is allowable as dependent from an allowable claim.

New Claims

Applicant has added new claims 5-7. New claim 5 and 7 are independent claims that include all limitations of claim 1. Claim 5 adds a breakable zone with a groove.

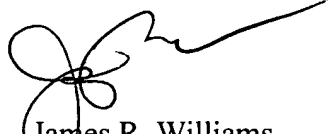
Claim 7 adds a breakable zone that is substantially rectangular. Claim 6 depends from claim 5 and describes the groove as being on the inner face of the side fender. Claims 5-7 are allowable because claim 1 is allowable.

Applicant believes the claims are in condition for allowance. Applicant requests reconsideration and allowance of claims 1-2 and 5-7.

Date: 17 Nov 2006

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